

ORIGINAL

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

UNITED STATES OF AMERICA

v.

FRANKLIN B. TRELL

Criminal Information

No. 1:17-CR-221-ODE

THE UNITED STATES ATTORNEY CHARGES THAT:

**Count One
(Conspiracy)**

1. Beginning on a date unknown, but from at least in or about July 2006, and continuing through at least in or about July 2013, in the Northern District of Georgia and elsewhere, the Defendant, FRANKLIN B. TRELL, did combine, conspire, confederate, agree, and have a tacit understanding with Cynthia P. Vinson and others unknown, to commit certain offenses, namely, (1) to knowingly devise and participate in a scheme and artifice to defraud, and for obtaining money by means of materially false and fraudulent pretenses, representations, and promises, and by the omission of material facts, and in doing so, to cause interstate wire communications to be transmitted in furtherance of said scheme and artifice to defraud, in violation of Title 18, United States Code, Section 1343; and (2) to execute and attempt to execute a scheme and artifice to defraud KeyBank, a financial institution the deposits of which were then insured by the Federal Deposit Insurance Corporation, and to obtain and

attempt to obtain moneys, funds, credits, assets, and other properties owned by and under the custody and control of a financial institution, by means of materially false and fraudulent pretenses, representations, and promises, as well as by omission of material facts, in violation of Title 18, United States Code, Section 1344; and (3) to knowingly engage in and attempt to engage in monetary transactions in criminally derived property of a value greater than \$10,000, consisting of the deposit, withdrawal, transfer, and exchange, in and affecting interstate commerce, of funds and monetary instruments by, through, and to a financial institution, namely SunTrust Bank, and its subsidiaries and affiliates, such property having been derived from specified unlawful activity, that is, wire and bank fraud, in violation of Title 18, United States Code, Sections 1343 and 1344, in violation of Title 18, United States Code, Section 1957.

Manner and Means

2. Defendant TRELL entered into agreements with an individual, hereafter referred to as G.O., to develop medical software and medical imaging businesses located in the metro Atlanta, Georgia area and Clermont, Florida. Defendant TRELL and G.O. each agreed to contribute significant capital to these businesses. In many instances, the capital infusion was to be equally contributed by Defendant TRELL and G.O.

3. Cynthia P. Vinson had worked for Defendant TRELL in previous ventures. Defendant TRELL hired Vinson to serve as a business manager and to assist with

the financial and bookkeeping aspects of the businesses that Defendant TRELL and G.O. were developing.

4. Defendant TRELL and Vinson formed numerous entities with the Georgia Secretary of State, and used entities they had formerly established, to allow them to open business bank accounts at SunTrust Bank. Most of these businesses were “shell companies,” meaning they had no assets and no viable business activities.

5. Defendant TRELL and Vinson made false statements and representations to G.O. concerning the need for capital funding and the actual contributions being made by Defendant TRELL. These false statements and representations caused G.O. to deposit millions of dollars via bank checks and interstate wire communications into the business bank accounts at SunTrust Bank, controlled by Defendant TRELL and Vinson.

6. Defendant TRELL and Vinson also made false statements and representations to KeyBank about these businesses, thereby causing the financial institution to distribute loan proceeds to the SunTrust Bank business accounts controlled by Defendant TRELL and Vinson in the form of interstate wire communications.

7. Defendant TRELL and Vinson provided false and fraudulent information to G.O. and KeyBank to obtain funds from them and also misrepresented how the funds they obtained were used and to be used. Through SunTrust, Defendant TRELL and Vinson engaged in monetary transactions greater than \$10,000 with the money obtained from the fraud.

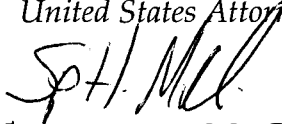
8. Defendant TRELL and Vinson diverted over \$5 million of the funds provided by G.O. and KeyBank for their personal use.

9. As late as in or about July 2013, Defendant TRELL and Vinson committed overt acts within the Northern District of Georgia in furtherance of the conspiracy, and to achieve the objects and purposes thereof, including the making of false statements and representations in furtherance of the conspiracy and fraudulent scheme.

All in violation of Title 18, United States Code, Section 371.

JOHN A. HORN

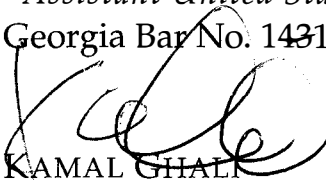
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